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NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES				ATTORNEY'S DOCKET NO. X11057C
SERIAL NO. 10/785,326	FILING DATE February 24, 2004	EXAMINER D. Muirhei	GROUP ART UNIT 1614	
IN RE APPLICATION OF Bryant, et al. TO THE COMMISSIONER FOR PATENTS:				
<p>Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated March 30, 2005 of the Primary Examiner finally rejecting Claims 40-53.</p> <p>() Notice of Appeal fee not required (fee paid in prior appeal of this application)</p> <p>(X) Notice of Appeal fee \$340.00</p> <p>() Applicant(s) petition(s) under 37 C.F.R. 1.136 for an extension of time to file the foregoing Notice of Appeal as follows:</p> <p>() One month (\$110.00)</p> <p>() Two months (\$430.00)</p> <p>(X) Three months (\$980.00)</p>				
<p>Please charge the fees indicated in the amount <u>\$1320.00</u> to Deposit Account No. 05-0840.</p> <p>The Commissioner is hereby authorized to charge any additional fees which may be required by this or any related paper, or credit any overpayment to Deposit Account No. 05-0840.</p> <p>Two copies of this sheet are enclosed.</p> <p><i>2/25/06</i></p> <p><i>Gilbert T. Voy</i> Gilbert T. Voy Attorney for Applicant Registration No. 43,972 Phone: 317-276-2966</p>				
<p>ELI LILLY AND COMPANY Patent Division P.O. Box 6288 Indianapolis, Indiana 46206-6288</p> <p><i>January 19 2006</i></p>				
<p><i>571 273 8300</i> CERTIFICATION OF FACSIMILE TRANSMISSION</p> <p>I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.</p> <p><i>Renee Y. Edwards</i> Type or print name of person signing certification</p> <p><i>Renee Y. Edwards</i> <i>January 23, 2006</i> Signature Date</p>				

01/25/2006 EFLORES 00000019 050840 10785326

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02 FC:1253 1020.00 DA

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FEE TRANSMITTAL

Effective December 8, 2004

Serial No.	10/785,326
Application Date	February 24, 2004
US Nat'l Entry Date (if applicable)	«NationalEntryDate»
First Named Inventor	Frederic Jay Cohen
Group Art Unit	1614
Examiner Name	Delacroix Muirhei
Conf. No.	«ConfirmationNumber»
Attorney Docket Number	X-11057C

TOTAL AMOUNT OF PAYMENT (\$110.00)

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number
Deposit Account Name

05-0840

X Charge Any Additional Fee Required

Eli Lilly and Company

Charge the Issue Fee Set in 37 CFR 1.16 at the time of allowance

FEE CALCULATION

1. In connection with the filing, search and exam fees

Code	Description	Fee	Fee Paid
1011	Basic filing fee (utility)	\$300.00	
1111	Utility search fee	\$500.00	
1311	Utility examination fee	\$200.00	
	SUBTOTAL (1) (\$)		

Code	Total claims	Extra	Fee Paid (\$)
1202	— 20 =	X 50 =	\$

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee (\$)	Fee Description	Fee Paid
1051	130	Surcharge-late filing fee or each	
1052	50	Surcharge-late provisional filing fee or cover sheet	
1053	130	Non-English specification	
1251	120	Extension for reply within first month	
1252	450	Extension for reply within second month	
1253	1,020	Extension for reply within third month	
1254	1,590	Extension for reply within fourth month	
1255	2,160	Extension for reply within fifth month	
1401	500	Notice of Appeal	
1402	500	Filing a brief in support of an appeal	
1452	500	Petition to revive-unintentional	
1453	1,500	Petition to revive-unintentional	
1502	1,400	Utility issue fee (or reissue)	
122	130	Petitions to the Commissioner	
1801	790	Request for Continued Examination (RCE)	

Other fee (specify) Normal Disclaimer 110

Independent claims

1201 — - 3 = X 200 = \$

Other fee (specify)

1203 Multiple Dependent or 360 = \$
Dependent Claim No (if yes)

Other fee (specify)

1081 Claims and Excess Length Fees
Total length (spec + drawings)
— 100 = excess pages \$

Other fee (specify)

No extra charge for first 100 pages. Must pay \$250 for each addl 50 pages (or fraction thereof).

SUBTOTAL (2) (\$)

SUBTOTAL (3) (\$110)

SUBMITTED BY

Typed or Printed Name
Signature

Complete (if applicable)

Reg. Number 43,972

Date

January 23, 2006

01/25/2006 EFLORES 00000020 050840 10785326

01 FC:1814 130.00 DA

PAGE 1/1 * RCVD AT 1/23/2006 3:02:37 PM [Eastern Standard Time]* SVR:USPTO-EFXRF-6/38 * DNIS:2738300 * CSID:317 276 3861 * DURATION (mm:ss):00:40

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